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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/019,125	05/10/2002	Yasuharu Asano	450101-03685 9907		
20999 FROMMER L.	7590 09/25/2007 R LAWRENCE & HAUG		EXAMINER		
745 FIFTH AV	'ENUE- 10TH FL.		WOZNIAK, JAMES S		
NEW YORK, NY 10151			ART UNIT	PAPER NUMBER	
			2626		
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			MAIL DATE	DELIVERY MODE	
			09/25/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.		Applicant(s)	
10/019,125		ASANO ET AL.	
	Examiner	Art Unit	

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address — THE REPLY FILED 18 September 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. I. ■ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies; (1) an amendment, affidavit, or other evidence, which places the explication in compliance with 37 CPR 4.1.3.1, or (3) it is applicated to the application of the compliance with 37 CPR 4.1.3.1, or (3) it is applicated to the place of the application of the compliance with 37 CPR 4.1.1.4. The reply must be filed within one of the following the periods:		James S. Wozniak	2626	
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affiliavit, or or veidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: 3) ☑ The period for reply expires on; (1) the mailing date of the final rejection, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the malling date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the malling date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the malling date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the malling date of the final rejection. What FILED WITHIN TWO MONTHS OF THE FINAL REJECTION SEMPLE? 706.97 (1) O.NLY CHECK BOX (b) WHEN THE FIRST REPLY SEMPLE. Extension The malling date of the final rejection which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been directly and the propriate declared to the under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set for this in the final office action; or (2) as set for this in the final office action; or (2) as set for his in the final office action; or (3) as set for his in the final office action; or (3) as set for his in the final office action; or (4) as a final date of the final rejection, even if limel	The MAILING DATE of this communication appe	ars on the cover sheet with the d	correspondence add	ress
this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or owith 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 15 is checked, check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Exensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee was a series of the period of extension and the corresponding amount of the fee. The appropriate extension fee was presented to the file of	THE REPLY FILED <u>18 September 2007</u> FAILS TO PLACE THIS	S APPLICATION IN CONDITION F	OR ALLOWANCE.	
a)	this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance	ving replies: (1) an amendment, af tice of Appeal (with appeal fee) in	fidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL. 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 1. Applicant's reply has overcome the following rejection(s): (a) They proseed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): (a) For purposes of appeal, the proposed amendment(s): a) Will not be entered, or b) will be entered and an explanation of how the new or amended claim(s) would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Cla	 a)	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin b). ONLY CHECK BOX (b) WHEN THI	g date of the final rejecti	on.
 2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s): 6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. ☑ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed:	Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b)	on which the petition under 37 CFR 1. tension and the corresponding amount shortened statutory period for reply orightan three months after the mailing date.	of the fee. The appropr inally set in the final Offi	iate extension fee ce action; or (2) as
(a) ∑ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s): 6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) allowed: Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.	 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed 	nsion thereof (37 CFR 41.37(e)), to	o avoid dismissal of th	
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 7.	 4. The amendments are not in compliance with 37 CFR 1.13 5. Applicant's reply has overcome the following rejection(s) 6. Newly proposed or amended claim(s) would be all 	21. See attached Notice of Non-Co:	·	,
 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:	7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided the status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-9. Claim(s) withdrawn from consideration:		ill be entered and an e	explanation of
entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: The prior position of record is maintained. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).	 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and 			
 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: The prior position of record is maintained. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) 	entered because the affidavit or other evidence failed to one showing a good and sufficient reasons why it is necessary. 10. The affidavit or other evidence is entered. An explanation	vercome <u>all</u> rejections under appe y and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).
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	· ·	(PTO/SB/08) Paper No(s)		

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: The added claim limitation that first candidate words are selected based on an evaluation of acoustic and language scores and second words are selected not based on the acoustic score has not been previously claimed. Although such claim amendments may overcome the teachings of Higgins et al (US 5,218,668), they would require further search and/or consideration.

PATRICK N. EDOUARD PATRICK N. EDOUARD EXAMINER